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Via Hand Delivery August 14, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Yu et al.

Application No.: 09/507,968

Art Unit: 1646

Filed: February 22, 2000

Examiner: Mertz, P.

For: Neutrokin- $\alpha$  and Neutrokin- $\alpha$   
Splice Variant

Atty Docket No.: PF3422

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**INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 CFR 1.97(b)**

Commissioner For Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to the references A1-A69 listed on the attached form PTO SB-08. Copies of references A1-A69 are enclosed.

Applicants note that reference A17, International Publication WO01/40466, contains a large number of sequences. Applicants have provided the text of the specification of WO01/40466 and wish to draw the Examiner's attention specifically to the sequences disclosed in Figures 23 and 24 of WO01/40466.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

Identification of the listed references is not to be construed an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore,

Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Applicants respectfully request that the Examiner review the listed references and that the references be made of record in the file history of the application.

Pursuant to 37 C.F.R. § 1.97(b), since this information disclosure statement is being filed before the mailing date of a first Office Action on the merits, no fee is due in connection herewith. However, should the Patent Office determine otherwise, please charge the required fee to Human Genome Science, Inc., deposit account no. 08-3425. A copy of this sheet is enclosed.

Respectfully submitted,

Dated: August 14, 2001

  
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Enclosure